

MUNICIPAL ADVISORY COUNCIL HANDBOOK SAN BERNARDINO COUNTY



“Community Insight for the Future of San Bernardino County”

INTRODUCTION

Thank you for volunteering your time and energy representing your community as a member of the Municipal Advisory Council (MAC). The Board of Supervisors (BOS) strongly encourages and appreciates the input given by the MACs. The MAC Handbook was created to help you understand the purpose of the MAC, your role as a MAC member, and how to go about getting the information you need to make responsive recommendations. Your participation is important and we hope you enjoy being a key participant helping to enhance San Bernardino County's future.

PURPOSE OF THE MAC

MACs are created to provide a consistent and inviting community forum, for the public to hear about and give comments on a number of local and countywide topics. County officials, staff, and other non-county agency staff continually use MAC meetings as an opportunity to provide the public with information or updates.

The BOS appoints citizens to sit on the council, who have a heartfelt interest in their community.

WHAT IS A MUNICIPAL ADVISORY COUNCIL?

While the concerns, insight, and discussions relayed by the MAC are key components in the deliberative process, Council Members do not make or set policies, ordinances or laws and are not in a position to interpret the county zoning ordinance, the county general plan or local community plan. Advisory councils provide recommendations on a variety of topics. Members are tasked with gathering input, making recommendations based on that information and relaying it to the appropriate decision-making body, such as the BOS.

ESTABLISHING RESOLUTION

The establishing resolution adopted by the BOS includes the following information:

Boundaries: The MAC boundaries are stated in "Exhibit A" of the establishing resolution as it may vary from time to time.

Duties: The MAC shall advise the BOS on all matters specifically referred to it by the BOS and authorized by Government Code section 31010, which may include, but shall not be limited to, matters of public health, safety, welfare, public works and planning. The MAC shall also serve as the advisory body to the BOS when the Board is acting in its capacity as governing body of the stated area.

Composition: The number of members, for each MAC, is stated within each resolution.

Qualifications for Membership: Members shall be residents and registered voters of the area served. Members are not required to be property owners unless so provided in the resolution of appointment or formation. Each appointment shall be by a majority of the BOS, and all members shall serve at the pleasure of the BOS.

Terms of Office: The term of office for members shall be the duration of the MAC and in no event shall be more than four years.

Organization: The MAC shall annually select its own Chairperson and vice Chairperson.

Procedural Rules: The MAC shall adopt rules, regulations and procedures as are reasonable and appropriate for its activity, as are specifically approved by the BOS. In the absence of procedures to the contrary, Robert's Rules of Order shall govern the MAC.

Records: MAC minutes and agendas are maintained at the BOS office.

Dissolution: The dissolution of the MACs shall occur at the end of each term of the County Supervisor who represents the district in which the MAC is located, upon that Supervisor leaving office prior to the end of such term, or upon the effective date of the establishment of new Supervisorial Districts which are the result of redistricting.

RESPONSIBILITIES OF THE MAC

The responsibility of the MAC is to encourage and gather public comment on a range of topics, which may affect the community. Once the MAC has reviewed a topic and gathered public comments, an advisory recommendation may be relayed to the BOS through the assigned field representative. The MACs input is a valuable component of information the Board and other decision-making bodies consider in their deliberative process.

RESPONSIBILITIES OF THE CHAIRPERSON

The role of the Chairperson is an important one. Not only are you responsible for conducting the meetings, you are tasked with creating an agenda that is both accurate and timely. By coordinating with the MAC Secretary and the field representative, your meetings will be inviting and successful.

The following is a list of responsibilities:

- ❑ All correspondence should be directed to the Secretary. The Chairperson should make arrangements with the Secretary to pick up any correspondence. If unable to get the mail, please advise the Secretary.
- ❑ Monthly, review and decide which items need to be on the MAC agenda. There are several sources of information for creating an agenda
- ❑ The Chairperson is responsible for deciding whether or not there are issues the MAC needs to discuss. If the Chairperson is unsure, the field representative can assist in that decision.
- ❑ Coordinate and approve the final format of the agenda so the MAC Secretary can mail it out no later than one week prior to the meeting (in compliance with the Brown Act).
- ❑ Arrange for vice Chairperson to chair the meeting if you are unable to attend.
- ❑ After a meeting, assist the Secretary in drafting any recommendation letters.
- ❑ The Chairperson signs all MAC approved recommendation letters. In the absence of the Chairperson, the Vice Chairperson may sign.
- ❑ On the first MAC agenda of the year, include "Selection of the Chairperson and Vice Chairperson". This should be done annually.

Each MAC Chairperson and Secretary should coordinate mutually convenient processes to handle MAC business and agenda creation.

RESPONSIBILITIES OF THE VICE CHAIRPERSON

The Vice Chairperson shall act in the absence of the Chairperson, with the same duties and responsibilities as stated in the previous section.

RESPONSIBILITIES OF THE SECRETARY

The MAC Secretary will be provided by the BOS' office. Responsibilities of the Secretary include:

- ❑ Attend scheduled MAC meetings to take and transcribe summary minutes. (Note-The meeting is not taped nor are the minutes transcribed verbatim.)
- ❑ Sign and send copies of approved minutes to the BOS' office.
- ❑ Contact MAC Chairperson and assist in preparing draft agenda.
- ❑ Notify the project applicants when their project is on the agenda.
- ❑ Email the draft agenda to the Field Representative to review two weeks prior to an upcoming meeting. If you do not use e-mail, please call and review the agenda verbally with the District Field Representative. This is a necessary step to ensure the agenda is accurate.
- ❑ Prepare the final agenda, at the direction of the MAC Chairperson, and mail no later than one week prior to the meeting.
- ❑ Send copies of the agenda, draft minutes and other related information to the MAC members.
- ❑ Send copies of the agenda to all individuals on the MAC mailing list.
- ❑ Per the Brown Act, post the MAC agenda at the meeting location in a place that is accessible to the public 24 hours a day for the 72 hours.
- ❑ Maintain the MAC mailing list.
- ❑ Make additional copies of the agendas and have them available for the public at MAC meetings.
- ❑ Canceled meetings - mail everyone on the MAC mailing list a cancellation notice and post the notice at the meeting location in a place accessible to the public.
- ❑ Within a week after a meeting, transcribe and mail MAC correspondence as directed by the MAC Chairperson. Secretaries are NOT responsible for drafting or creating recommendation letters.
- ❑ Maintain records of MAC agendas, approved minutes and correspondence.
- ❑ Bring MAC materials such as member name cards, maps, and other regularly used MAC materials, to each meeting.
- ❑ If unable to attend a meeting or complete routine MAC tasks, contact the Field Representative as soon as possible.
- ❑ The Board office retains the official MAC minutes. Refer all public requests for copies of approved minutes or MAC correspondence to the Board office.

RESPONSIBILITIES OF THE FIELD REPRESENTATIVE **(YOUR COUNTY CONTACT)**

The Field Representative is the direct link to your County Supervisor and can assist and provide support to the MACs. Responsibilities of the Field Representative include:

- ❑ Assists in the creation of the agenda and reviews the draft agenda for accuracy.
- ❑ Attends MAC meetings; prepares updates and arranges for County staff to attend when necessary.
- ❑ Prepares responses to inquiries made during public comment.
- ❑ Prepares responses of requests from MAC members.
- ❑ Arranges for meetings that may have a large turnout (new location, chairs, tables, audio equipment, refreshments, etc.)
- ❑ If Secretary is not available, Field Representative takes and transcribes minutes.

APPLICATIONS, VACANCIES, APPOINTMENTS, REAPPOINTMENTS AND **RESIGNATIONS**

Applications - Any member of the community who lives or works in the unincorporated area of the County and who wishes to serve on MAC must fill out an application and submit it to the Clerk of the Board's office. All applications of persons not appointed to the MAC are kept on file for 2 years. Applications of persons appointed to a MAC are appointed until their term expires.

Vacancies & Appointments - A full council is ideal but in some instances there may be a vacancy. The Clerk of the Board's office maintains a database of information regarding each MAC member and their term expiration date. If a member chooses not to be reappointed or if a member resigns prior to term expiration, the seat must be posted as vacant prior to appointing a new member. The process of filling a vacancy is:

- 1) The resignation letter is forwarded to the Clerk of the Board for processing.
- 2) Notice of Vacancy for the MAC is placed on the BOS Agenda for approval. The Notice of Vacancy is posted a minimum of 10 working days.
- 3) After the 10-day posting period, all applications currently received or on file are considered by the District Supervisor.
- 4) The District Supervisor selects an applicant and the name is placed on the next BOS' agenda.
- 5) The BOS approves the appointment of the new MAC member.

Reappointments - When a MAC member's term is close to ending, the Field Representative will advise the County Supervisor. The County Supervisor may choose to reappoint the incumbent member or appoint a new one. If the member is reappointed, the reappointment is placed on an upcoming BOS agenda for approval under consent items. Should the County Supervisor choose to appoint a new member, steps 2–6 under vacancies would occur.

Resignation Letters - If a MAC member chooses to resign his/her position on the MAC, a written letter of resignation needs to be sent to: Clerk of the Board with a copy to the Supervisor's office at 385 North Arrowhead Avenue, Second Floor, San Bernardino, CA 92415-0130.

AGENDA CREATION

There are many ways to create an agenda such as, input from MAC members, information from the Current Project listings, and requests from project applicants or county staff. Ultimately, the Chairperson decides which items are placed on the agenda however; input from others is always helpful.

Agendas must be consistent to promote a timely and productive meeting. The agenda must have enough information about each agenda item so a member of the public, who may never have attended a Council meeting before, will have a good idea of what will be discussed and what action the Council is being requested to take.

The Brown Act requires that the Council not take action on any item not listed on the agenda or as an information item.

Information Required on the Agenda

The following guidelines are recommended:

- ❑ **Date, time, and location.** Including the street address.
- ❑ **Time limits.** It is helpful for the Chairperson to set time limits for agenda items. This helps assure all presenters receive a hearing before the hour grows too late. Depending on the length of the agenda, suggested times might be 10 minutes for a project applicant's presentation, 5 minutes for a county staff response, and 15 minutes for MAC member and public questions and discussion. These time limits should be listed on the agenda to help with the flow of the meeting.
- ❑ **Pledge of Allegiance.**
- ❑ **Call to order and introduction of MAC Members.** While you may have a core group of the public who attend every meeting, it is still a good idea for each member of the MAC to introduce him or her.
- ❑ **Approval of Agenda.** The agenda must be approved prior to discussion. You may delete an item from the agenda, however; keep in mind that there may be audience members who've come to the meeting to hear that particular item. The Chairperson should ask the audience if there is anyone who has attended to hear the item you have chosen to delete from your agenda; the Secretary can get their name and address and send them an agenda when that item is back on the agenda.
- ❑ **Approval of Minutes.** MAC members should review the draft minutes prior to attending the meeting. The MAC Secretary is responsible for transcribing summary minutes. These minutes are not verbatim. Copies of approved minutes are available upon request at the respective BOS' office at 385 North Arrowhead Avenue, Fifth Floor, and San Bernardino California 92415-0110.

- ❑ **Public Comment Section.** The Brown Act requires this section of the agenda. The MAC may listen, however; no action can be taken on items brought up during the Public Comment section of the agenda. This is a time for the public to discuss any item NOT listed on the agenda. Public comments are essential in making responsible recommendations on issues. You represent your community. You are their voice.
- ❑ **Public Safety Reports.** (optional) Having appropriate departments give updates on recent happenings in law enforcement, code enforcement, public works or fire is always a favorite. The community is appreciative and is able to relay concerns or questions regarding community safety. The MACs are encouraged to invite department representatives.
- ❑ **Information/Non-Action Items.** Any topic listed on the agenda should include as much information as possible regarding the project, program, issue, where the item is in the planning process (if applicable) and the presenter's name. Items listed under this section do not require any action from the MAC. The item is for information only so that the public and MAC are aware of the issue. Information items allow the MAC to review an issue/project and make verbal suggestions to the appropriate party (i.e. developer, county staff) BEFORE that issue/project is brought back as an action item for the MAC's possible recommendation.
- ❑ **Action Items.** Action items allow the MAC to make a recommendation on an issue/project after they have reviewed the facts and gathered input from the community. There are quite a few planning, land use, and county-related items that must be heard by the MAC, however, a MAC cannot impede the project's scheduled timeline within the planning process. The appropriate MAC should review all projects that are to be heard by the Planning Commission or BOS. The MAC can review other projects as they see fit including items going to the Zoning Administrator.
 - ❖ Action Items listed on the agenda should have a detailed project description, name of the project, its physical location, a brief description of the project, the name of the project applicant, and the name of the presenter. Additionally, it should be noted what action the MAC is being requested to take. For example, "The MAC may make a recommendation on the location and size of project", "The MAC may make a recommendation on the design, lighting and signage of the building".
- ❑ **Sub-Committee Reports.** (optional) Some MACs have found it useful to establish standing sub-committees on areas of local interest. Examples might include traffic, transportation, public safety, parks & recreation, education and schools, land use, and fire protection. Such sub-committees usually have a MAC member as Chairperson and may add other members of the community who wish to participate. The committee Chairperson usually provides a brief report at each meeting.
 - ❖ A MAC also may decide to establish ad hoc sub-committees/task force to address short-term issues of local interest, such as the possible formation of a local recreation district or construction of a local facility like a park or a community pool. At least one MAC member must sit on the sub-committee, with other members of the community who may wish to participate. Such committees also provide regular reports to the MAC.

- ❖ Standing or ad hoc sub-committees can meet as needed. So as not to violate Brown Act requirements, the number of MAC members serving on the subcommittee must not reach a quorum.
- ❑ **Community Reports.** (optional) You can invite local organizations to update the MAC on community events. If they regularly appear at MAC meetings, listing them on the agenda allows them a specific time to speak. The local Chamber of Commerce, Cemetery Districts, Family Resource Center, local high school, Trail Alliance and Safety Club Ambulance Service are a few examples. Not all MACs partake in having a specified section for these reports due to the length of their meetings. These organizations are always welcome to speak during public comment.
- ❑ **Field Representative Report.** Each County Supervisor has a Field Representative that attends MAC meetings within the district and they are able to give updates under this section of the agenda.
- ❑ **Adjournment.** Indicate the date of the next meeting
- ❑ **Noticing.** Americans With Disabilities Act (ADA) Legislation has recently been amended regarding the ADA requirements be placed on notices and agenda materials. The following paragraph **MUST** appear on every MAC agenda:
 - ❖ San Bernardino County is committed to ensuring that persons with disabilities are provided the resources to participate fully in its public meetings. If you require disability-related modifications or accommodations, including auxiliary aid or services, please contact the BOS' office at least three (3) business days prior to the meeting

REQUESTS FROM COUNTY DEPARTMENTS, APPLICANTS, CITIZENS AND OUTSIDE AGENCIES

County staff may request time on the agenda to discuss a variety of items. Applicants, citizens, and other agencies may request time as well. You are encouraged to do some research and check with the Field Representative to determine the necessity, appropriateness, and timeline of the items placed on the agenda.

ITEMS NOT APPROPRIATE FOR MAC AGENDAS

The following items should not be discussed or placed on the MACs agenda for discussion:

- Campaign related information
- Federal or state legislation
- Superior court, municipal court or traffic court issues
- Disputes or claims against the county
- Family law issues

NOTE: If you are unsure about the appropriateness, please contact the Board of Supervisors' office for clarification.

CONDUCTING A MEETING (Follow Robert's Rules of Order)

Because each MAC represents its own unique community, it will establish its own meeting procedures. When setting up meeting procedures, it's important to keep the MACs goal in mind – to encourage public input on all issues it considers, to gather and convey public input, and provide advice to the BOS.

It is the responsibility of the Chairperson to direct the meeting. A MAC meeting should not be any longer than 2 hours. Having time limits and maintaining productive dialog is imperative.

We suggest the following guidelines be followed:

- 1) The Chairperson calls the meeting to order.
- 2) Welcome and introduction of MAC members should follow. Is there a quorum?
- 3) LACK OF A QUORUM-If a MAC is unable to reach a quorum at a regular or special meeting, the MAC Chairperson may decide either to adjourn the meeting OR to hold an informal gathering to discuss any scheduled agenda items and committee reports.
- 4) In either case, the event would not be considered a MAC meeting and the Secretary would not take regular minutes. Instead, the Secretary should take informal notes for the MAC records, sending a copy to the Board office, indicating that the MAC did not form a quorum. They can either choose to adjourn or to continue with an informal gathering to discuss items of community interest. Of course, the MAC cannot take any action at this gathering.
- 5) The Chairperson then asks for a motion to approve the agenda, then the minutes. The Secretary should note any changes to either one.
- 6) Any MAC member can make a motion to approve the agenda and the minutes.
- 7) Another MAC member seconds the motion.
- 8) The Chairperson asks for any public comment, noting that the MAC cannot take any action on any item brought up that is not listed on the agenda.
- 9) The Chairperson should continue the agenda in order as listed.

HANDLING NEW TOPICS NOT ON THE AGENDA

Sometimes new topics are raised at a MAC meeting, which aren't on the agenda. The Brown Act requires that the MAC have an item listed on its agenda before it can take any action on it or even discuss the matter at any length. This is a matter of fairness so people interested in the subject, but who are not at the meeting, have notice that the MAC will consider it. If the new topic has enough public interest or concern, the MAC Chairperson may add it to the agenda for the next meeting. If the item is especially timely, the MAC may decide to schedule a special meeting to consider the item and make a recommendation.

INFORMATION NON-ACTION ITEMS

The Chairperson invites the presenter to speak first; asks the public for any comments; then asks MAC members for any comments. The Chairperson closes public comment and brings it back to the MAC for any ending remarks, suggestions or comments. Information items require that NO FORMAL ACTION be taken. Under information items the MAC can request the following:

- That the presenter return at a later date to update the MAC on the status of the project, program, or issue;

- That the Field Representative follow-up on an issue and update the MAC at a later date
- That the item be placed on an upcoming MAC agenda as an action item; or
- That a recommendation letter be drafted, transcribed, and brought back to the MAC as an action item for MAC recommendation.

MAKING A MOTION AND VOTING

The BOS has asked the MACs to carefully consider and provide recommendations on local projects. It is important the MAC have complete information on any project before them. The MAC needs to know the status of a project in the County's planning process so recommendations aren't made too early or too late in the process. Projects often change and the MAC should make its recommendation when the project is about to go before a planning decision-making body.

Before making its recommendation, the MAC should carefully review final project environmental documents, County staff recommendations, and listen to presentations by the project applicants. Equally important, the MAC members must encourage full public discussion and avoid stating conclusions about a project before public discussion is complete. MAC members are then seen as objective and unbiased. The MAC must hear sufficient public comments and discussion to determine the public's thoughts on the topic.

ACTION ITEMS

The Chairperson invites the presenter to speak first; asks the public for any questions or comments; asks the MAC members for any questions or comments; closes public comments and brings the discussion back to the MAC for any further discussion, questions or comments.

The Chairperson indicates he/she will entertain a motion. Any MAC member can make a motion. It is highly recommended that you take a minute and write out your motion on a piece of paper and read it out loud. This written clarity allows the Secretary and the audience to understand exactly what you intend to recommend. Any member can second the motion. If a motion is not seconded, then the motion dies. The Chairperson can repeat the process of obtaining a motion.

The MAC can make a motion to send a recommendation letter that:

- Approves or denies the project.
- Approves a project with specific conditions.
- Denies the project due to specific outlined reasons.
- States the MAC does not want to take a position.
- Requests that the presenter return at a later date to update the MAC on the status of the project, program or issue.
- Requests that the Field Representative follow-up on an issue and update the MAC at a later date.
- Requests that the project be placed on a MAC agenda as an action item at a later date.

MAKING NO RECOMMENDATION ON AN ITEM

In some cases, after hearing all available information on a project, a MAC may decide to make no recommendation on a project. If the MAC doesn't make a recommendation, however, they may comment that specific elements of the project should be considered, such as traffic or impacts on local water quality. The MAC would write a letter to the decision-making body with its comments, also indicating it has no recommendation on the entire project.

RECOMMENDATION LETTERS

Each time a MAC votes on a recommendation regarding a project or an issue, the Chairperson (with assistance from the Secretary) drafts a brief letter to the appropriate decision-making body summarizing the MAC's recommendation, including the motion. It is very important the MAC communicates promptly with the assigned Field Representative so the recommendations can be considered for submission to the appropriate body or the Board or the Supervisors may take action.

One important role of the MAC is to advise the BOS of the community needs/requests. For example, if the community would like CalTrans to install a signal or stoplight at an intersection on a state highway, the MAC would write the BOS with the request. They may send copies of the letter to other county agencies (i.e. Public Works) or non-county agencies, (i.e. West Valley Water District). The MAC should always copy the BOS' office on all correspondence, regardless of the letter's addressee.

HANDLING CONTROVERSIAL ISSUES

The MAC may occasionally consider an issue of great local concern, often a land use issue. Public discussion can become heated. In situations like this, it's important the MAC Chairperson act from the outset to keep the discussion courteous and orderly.

MEETING PRESENTERS

It is useful to remember presenters will have a wide range of presentation skills. Some may not have practice speaking before large groups and may need some encouragement from the MAC to proceed. The MAC will provide the most useful advice to the BOS if it encourages maximum public participation in its discussions.

People presenting information to the MAC may represent a range of perspectives, such as Community or homeowners' associations; elected officials; county or city departments; project applicants or representatives; or staff from non-county agencies. Often a MAC will want to discuss a topic of interest or concern. The best presenter would be with a non-county agency or business, like a water agency, CalTrans or the San Bernardino County Transportation or Planning Department. The Field Representative assigned to your MAC will identify the right agency to address the topic and arrange for a date to make the presentation.

SPECIAL MEETINGS

Special MAC meetings are fairly rare. Occasionally, the MAC must meet at a different time or location other than its regularly scheduled meeting time or place. This may be because the MAC may expect a large audience to hear a particular agenda item or because they must discuss an item in time to meet a deadline for the BOS or the Planning Commission, or for another reason.

The Chairperson or the Secretary should distribute the special meeting agenda a week prior to the special meeting. However; if that's not possible, they need to post the special agenda in the usual public places at least 72 hours before the meeting to meet the requirements of the Brown Act, California's open meeting statute.

Also, if the Chairperson reviews the mail weekly and talks regularly with the Field Representative and/or Secretary for the MAC's area, it's most likely there will be time to post a special meeting agenda to meet all Brown Act deadlines.

CANCELED MEETINGS

Occasionally, the MAC Chairperson may decide to cancel a regularly scheduled meeting. The Chairperson usually does this after examining the mail, talking with the Field Representative and determining the MAC has no timely matters to consider. As MAC members are all volunteers, an occasional break is reasonable, especially during the winter holiday months. There may be rare occasions when the MAC Chairperson learns there will not be a quorum of MAC members available for an upcoming meeting. That is also a good reason to cancel a meeting or to reschedule a meeting, if there are pressing matters the MAC should discuss.

MEDIA AND MEETING PROMOTION MEDIA

Media promotion and coverage of MAC meetings varies widely. Some newspapers include MAC meetings in their community calendar listings and others don't. Some MAC members have written letters to the editor or guest columns on important community issues to raise local awareness of the MAC and its activities.

COUNTY WEBSITE

Because the MAC is an advisory body to the BOS, created by the BOS, it may be appropriate that information about the MAC appear on the Districts website. This is where members of the public would most likely seek MAC information.

The County reserves the right to issue corrections, revisions and/or amendments to this Handbook as needed or necessary.

This MAC Handbook was created to help you understand the purpose of the MAC, your role as a MAC member, and how to go about getting the information you need to make responsive recommendations. Your participation is important and we hope you enjoy being a key participant helping to enhance San Bernardino County's future.

I have read this Handbook and understand my responsibility as a Council Member.

Print Name

Signature

Date

**Please complete and give to your assigned Field Representative
at next scheduled MAC meeting.**

Thank you!

